

REMARKS

Claims 1-16 are pending in this application. Claims 17-25 have been added.

The Office Action dated August 11, 2004, has been received and carefully reviewed. In that Office Action, claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cannon in view of DuMouchel. Because it is not believed that a *prima facie* case of obviousness has been presented in connection with these claims, the withdrawal of this rejection and the allowance of claims 1-25 is respectfully requested.

It is respectfully submitted that a *prima facie* case of obviousness has not been established because the Office Action does not show where each element required by each claim is present in the prior art. The below comments therefore, do not directly address the substantive differences between the prior art references and the claimed invention or the lack of motivation to combine the references. Instead, it is submitted that at least two limitations required by the claims are not addressed by the Office Action. Applicant will address these and/or other references once a *prima facie* obviousness rejection has been presented.

CLAIM 1

DATA REDUCTION MEANS HAVE NOT BEEN IDENTIFIED

Claim 1 requires, inter alia, "data reduction means" for

"reducing a data amount ... until a capacity available for storage is ensured when the capacity to store said information ... is insufficient." Cannon does not show a data reduction means as required by claim 1. The Office Action does not assert that such a data reduction means exists unless the word "volume," used at column 7, line 60, of Cannon is taken to mean the same thing as the word "capacity" used in claim 1. However, it is respectfully submitted that "volume" as used in Cannon has nothing to do with capacity. Rather, "volume" is used to identify a "subpart of the identified storage pool" (column 8, line 8-9). For example, Table 2 illustrates a file "A" stored at storage pool 1, volume 39, location 1965. Thus, "volume" as used in Cannon identifies a location where data is stored, not a storage capacity as in claim 1. Therefore, the Office Action does not identify where the cited art discloses data reduction means as required by claim 1 and does not make out a *prima facie* case of obviousness in connection with this claim.

CANNON DOES NOT TEACH SUMMARY DATA GENERATION MEANS

It is stated in the Office Action that Cannon "does not teach summary data generation means." However, in addition to summary data generation means, claim 1 requires "manager means" for storing in a data storage unit information data and summary data in correspondence. The Office Action first states that Cannon teaches

"manager means for storing in the data storage unit the information data input through the information data input means and the summary data generated by the summary data generation means in correspondence. The Office Action then states that Cannon does not teach summary data generation means. If Cannon does not teach summary data generation means, it is respectfully submitted that Cannon does not teach manager means that stores summary data in correspondence with information data as asserted in the Office Action. In other words, even if it is assumed, for sake of argument only, that DuMouchel discloses summary data generation means, the Office Action does not explain where manager means storing information data and summary data in correspondence is shown or suggested by the prior art. For this reason as well, it is respectfully submitted that a *prima facie* case of obviousness has not been made in connection with claim 1, and that claim 1 is allowable.

CLAIMS 2-12

Claims 2-12 depend from claim 1 and are therefore submitted to be allowable for the same reasons as claim 1.

CLAIM 13

The examiner's rejection of claim 13 requires the same interpretation of "volume" used in the rejection of claim 1. The

rejection also states that Cannon teaches an organization step in which summary data is stored in correspondence with information data, even though it is acknowledged that Cannon does not teach a summary data generation step. For the reasons provided above in connection with claim 1, it is respectfully submitted that a *prima facie* case of obviousness has not been established in connection with claim 13, and that claim 13 is allowable.

CLAIMS 14, 15 AND 16

The rejections of claims 14, 15, and 16 all require the interpretation of "volume" used in rejecting claims 1 and 13. The rejections of these claims also indicate that Cannon disclose an organization step that stores information data in correspondence with summary data, even though Cannon does not disclose a summary data generation step. For the reasons provided above in connection with claims 1 and 13, it is respectfully submitted that a *prima facie* case of obviousness has not been presented, and that claims 14, 15 and 16 are allowable.

NEW CLAIMS

New claims 17-25 have been added by the above amendment. Claim 17 requires a data reducer that is not shown or suggested by the prior art. Claim 18 requires that, when a capacity to store newly input information data is insufficient, a step of storing in

correspondence includes a step of reducing a data amount of at least one of the information data and the summary data stored in correspondence until a capacity available for storage is ensured. This is not shown or suggested by the prior art, and claim 18 is therefore also submitted to be allowable.

Claim 19 requires an information management method that includes the steps of generating first summary data for first data and second summary data for second data, determining a remaining capacity of a data storage unit storing the first data, first summary data, second data and second summary data, and if a size of third data to be input is larger than the remaining capacity, reducing a data amount of at least one of said first data, said first summary data, said second data and said second summary data until the remaining capacity is greater than or equal to the size of the third data to be input, the at least one of said first data, first summary data, second data and second summary data to be reduced being determined according to a variable criterion. These steps are also not shown or suggested by the prior art.

For these reasons, it is believed that claims 17, 18 and 19 are allowable. Claims 20-25 depend from claim 20 and are submitted to be allowable for the same reasons as claim 20.

Conclusion

Should there be any outstanding matters that need to be

resolved in the present application, the Examiner is respectfully requested to contact Scott Wakeman (Reg. No. 37,750) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

Terrell C. Birch, #19,382

TCB/STW/jeb
0033-0792P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000